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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,622	10/15/2001	Gregory J. Danner	80517-US	2574

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EXAMINER

PHAM, TUAN

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,622

Applicant(s)

DANNER ET AL.

Examiner

TUAN A PHAM

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-24, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Carson et al. (U.S. Patent No. 4,629,832, hereinafter, "Carson").

Regarding claim 1, Carson teaches a programmable telephone system comprising: a telephone (see figure 1, telephone STI), the telephone including at least one speed-dial key (see figure 1, telephone STI, col.7, ln.10-15), memory corresponding to the at least one speed key for storing data corresponding to speed-dial telephone numbers (see figure 1, RAM 109), a controller (see figure 1, controller logic 103), a call recognition circuit (see col.8, ln.23-36), a computer remotely located from the telephone, the computer configured to automatically place a call to the guestroom telephone and establish communication therewith, the communication being established when the call recognition circuit determines that the call has not been answered based on a predetermined criterion (see col.8, 23-67), and the computer configured to transmit speed-dial data to the guestroom telephone during said communication, wherein the controller programs the guestroom telephone with the data corresponding to the received speed-dial data (see col.7, ln.8-24).

Regarding claim 2, Carson further teaches a telephone is configured to operate in at least one of a programming mode and a standard mode (see col.5, ln.34-45).

Regarding claim 3, Carson further teaches a telephone receives the speed dial data, the controller transmits an indication to the computer so that the computer terminates the call (see col.7, ln.8-24).

Regarding claim 4, Carson further teaches a controller transmits the indication to the computer, the telephone switches from a programming mode to a standard mode (see col.8, ln.23-67).

Regarding claim 5, Carson further teaches a telephone wherein after the communication is established, the telephone switches from a standard mode to a programming mode (see col.8, ln.23-67).

Regarding claim 6, Carson further teaches a telephone wherein programming of the telephone by the computer eliminates manual entry of the speed-dial data into the guestroom telephone (see col.5, ln.35-49).

Regarding claim 7, Carson further teaches a telephone wherein the telephone operates in a standard mode if the call is answered within a predetermined period of time or within a predetermined number of rings (see col.8, ln.23-49).

Regarding claim 8, Carson further teaches a telephone wherein the telephone operates in a programming mode if the call is not answered within a predetermined period of time or not answered within a predetermined number of rings (see col.8, ln.50-67).

Regarding claim 9, Carson further teaches a telephone wherein the predetermined criteria is at least one of the call from the computer has not been answered within a predetermined number of rings, and the call from the computer has not been pending for a predetermined period of time (see col.4, ln.40-65).

Regarding claim 10, Carson further teaches a telephone wherein the call recognition circuit causes the communication to be established if the call from the computer has not been answered within a predetermined number of rings (see col.8, 23-49).

Regarding claim 11, Carson further teaches a telephone wherein the call recognition circuit prevents establishment of the communication if the call from the computer has not been pending for a predetermined number of rings (see col.8, ln.23-49).

Regarding claim 12, Carson further teaches a telephone wherein the call recognition circuit prevents establishment of the communication if the call from the computer has not been pending for a predetermined period of time (see col.4, ln.40-55).

Regarding claim 13, Carson further teaches a telephone wherein the call recognition circuit is a ring sensing circuit (see col.8, ln.23-36).

Regarding claim 14, Carson further teaches a telephone wherein the call recognition circuit is a timing circuit (see col.8, ln.23-65).

Regarding claim 15, Carson further teaches a telephone wherein the call recognition circuit is a caller identification circuit wherein said communication is

established if the telephone number identified by the caller identification circuit matches one of a predetermined telephone number (see col.5, ln.5-17).

Regarding claim 16, Carson further teaches a modem operatively coupled to the controller and a second modem operatively coupled to the computer, the first modem and the second modem configured to facilitate communication between the computer and the telephone (see col.col.7, ln.1-23).

Regarding claim 17, Carson further teaches a first modem is an internal modem disposed within the telephone (see figure 1, telephone STI).

Regarding claim 18, Carson further teaches a telephone wherein the call is connected to the first modem when the call recognition circuit determines that the call has not been answered for a predetermined amount of time (see col.4, ln.23-65).

Regarding claim 19, Carson further teaches a two telephones wherein the computer calls the first telephone and causes the first telephone to be programmed with the speed-dial data and then calls the second telephone and causes the second telephone to be programmed with the speed-dial data (see col.4, ln.40-65).

Regarding claim 20, Carson further teaches wherein the speed-dial data transmitted to the first telephone is different than the speed-dial data transmitted to the second telephone (see col.9, ln.54-65).

Regarding claim 21, Carson further teaches a plurality of telephones wherein the computer calls each telephone based upon a telephone number corresponding to each the telephone, the telephone numbers stored in a memory of the computer (see figure 1, telephone STI-STN).

Regarding claim 22, Carson further teaches a telephone wherein the telephone numbers are stored in a computer file accessible by the computer (see col.2, ln.55-68).

Regarding claim 23, Carson further teaches a telephone wherein the telephone numbers are stored in a database accessible by the computer (see col.2, ln.55-68).

Regarding claim 24, Carson further teaches a telephone wherein the controller is selected from the group consisting of a microprocessor, computer, CPU (central processing unit), RISC processor, single-chip computer, distributed processor, server, micro-controller, controller, discrete logic computer and remote computer (see figure 1).

Regarding claim 26, Carson teaches a programmable telephone system comprising: providing a telephone (see figure 1, telephone STI), providing a computer remotely located from the telephone (see col.6, system administrator), automatically placing a call by the computer to the telephone to establish communication between the computer and the telephone, determining by the telephone when the call has not been answered for a predetermined amount of time (see col.8, ln.30-60), after the determination that the call has not been answered for the predetermined amount of time, establishing communication between the telephone and the computer, and the telephone entering into a programming mode (see col.5, ln.25-60), transmitting by the computer speed-dial data to the telephone during said communication, wherein the telephone is programmed with data corresponding to the received speed-dial data, and terminating the communication between the computer and the telephone after the telephone is programmed with the data (see col.5, ln.25-65).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hackett-Jones et al. (U.S. Patent No. 5,651,058, hereinafter "Hackett-Jones") in view of Carson et al. (U.S. Patent No. 4,629,832, hereinafter, "Carson").

Regarding claim 25, Hackett-Jones teaches a remotely programmable hotel telephone system comprising:

a hotel telephone (see figure 1, Hotel telephone 3),
the hotel telephone including:

a handset and a plurality of speed-dial keys (see figure 1, Hotel telephone 3),

a plurality of memory locations operatively associated with the speed-dial keys to store speed-dialing data corresponding to predetermined telephone numbers, a first modem operatively coupled to the controller; a computer remotely located from the hotel telephone; a second modem operatively coupled to the computer, the first modem and the second modem configured to facilitate communication between the computer and the hotel telephone (see col.4, ln.50-65).

It should be noticed that Hackett-Jones fails to clearly teaches a controller, a call recognition circuit operatively coupled to the controller; the computer configured to automatically call the hotel telephone and establish communication with the hotel telephone; said communication being established when the call recognition circuit detects that the call from the computer has not been answered for a predetermined amount of time, the computer configured to transmit speed-dial data to the hotel telephone during said communication, and the controller causing the received speed-dial data to be stored in the memory locations so that the hotel telephone is programmed with new or additional speed-dial data corresponding to the plurality of speed-dial keys. However, Carson teaches such features (see col.5, ln.1-23, col.8, ln.23-65) for a purpose of updating the speed dial number.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a controller, a call recognition circuit operatively coupled to the controller; the computer configured to automatically call the hotel telephone and establish communication with the hotel telephone; said communication being established when the call recognition circuit detects that the call

from the computer has not been answered for a predetermined amount of time, the computer configured to transmit speed-dial data to the hotel telephone during said communication, and the controller causing the received speed-dial data to be stored in the memory locations so that the hotel telephone is programmed with new or additional speed-dial data corresponding to the plurality of speed-dial keys, as taught by Carson, into view of Hackett-Jones in order to use the computer to conveniently program and update the speed dial key.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although O'Neal et al. (U.S. Patent No. 6,295,355), McLay et al. (U.S. Patent No. 4,072,825), and Szlam (U.S. Patent No. 6,359,892) are not applied into this Office Action, they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system and method to remote access emulation and automatic control system in hotel.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987 and E-mail address is: **tuan.pham@USPTO.GOV**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and

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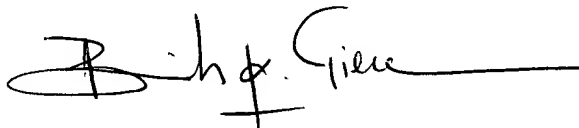
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

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Date: November 28 2003

Examiner

Tuan Pham



BINH TIEU
PRIMARY EXAMINER